

a means coupled between the engaging means and the attaching means for resiliently rotationally biasing the engaging means relative to the attaching means.

16. (Once Amended)     ~~The bracket of claim 15 wherein the biasing means is~~  
                                 A bracket for securing a tool having an elongated portion, the bracket comprising:  
5                               a means for attaching to an external structure;  
                                 a means rotatably coupled to the attaching means for securely engaging an elongated  
                                 portion of a tool; and  
                                 a resilient biasing means structured to supply a torsional force between the engaging  
                                 means and the attaching means for resiliently rotationally biasing the engaging means relative to  
10                              the attaching means.

18. (Once Amended)     The bracket of claim 15 wherein the engaging means includes means for retaining a-an elongated portion of a tool that is engaged therewith.

#### REMARKS

In the Drawings:

- 15                              In an Amendment filed August 24, 2002, the Applicant corrected a typographical error in Figures 1 and 2. The Applicant neglected to include the substitute drawings with that Amendment. The substitute drawing incorporating the corrections to the Figures 1 and 2 is attached. Red-lines showing the corrections to the figures are attached for a second time. No new matter is added.

20                              In the Claims:

                                 Claims 1-20 remain in the case. Claims 19-20 stand allowed. Claims 3, 4, 8, 12-14, 16 and 17 were objected to. Claims 1, 2, 5-7, 9-11, 15 and 18 stand rejected.

                                 Claims 1, 4, 15 and 18 are amended. Claims 3 and 16 are rewritten in independent form.

- 25                              The Examiner is thanked for reconsidering and withdrawing the restriction requirement mailed on July 24, 2002, and finding that all 20 claims read on the elected species.

Claim Objections:

Claims 4, 15 and 18 were objected to for informalities. Appropriate corrections are made.

Claims 3, 4, 8, 12-14, 16 and 17 were objected to as being dependent upon a  
5 rejected base claim. The Examiner is thanked for finding that claims 3, 4, 8, 12-14, 16 and 17 contain allowable subject matter and would be allowable if rewritten in independent form.

Claims 3 and 16 are rewritten in independent form and are now believed to be allowable.

Claims 4, 8, 12-14 and 17 are believed to be allowable as depending from allowable  
10 base claims, as discussed below. Therefore, the Applicant declines to rewrite claims 4, 8, 12-14 and 17 in independent form at this time, but reserves the right to do so in the future.

Claim Rejections Under 35 USC § 102:

Claims 1, 2, 5-7, 9-11, 15 and 18 were rejected under 35 USC § 102(e) as being anticipated by US Patent 6,484,913 to Hancock et al.

15 Claims 1, 2, 5-7, 9-11, 15 and 18 are patentable over Hancock et al.

Hancock et al. teaches an article support bracket for an elongate article such as a long gun, tool or another piece of equipment in position extending across the vehicle handlebars. See, Abstract.

The article support bracket as taught by Hancock et al. includes a support post  
20 **88** that extends upwardly from a base **86** and terminates with a ring **102** of equally spaced splines **90** around a top edge **104**. The support post will receive an article holder **98** having an interiorly splined base **106** telescoped over the exterior splines of the support post **88**. Column 2, line 66 - column 3, line 12.

Hancock et al. also teaches holes **92**, **94** in the base **86** matched to holes **72**, **74**  
25 for receiving bolts **82** to “secure” the article holder **98** in a “*desired angular relationship*” with the base **86**. Column 3, lines 2-8 (emphasis added).

Claim 1 provides a tool bracket having a mounting base joined for relative rotation to a holder; and a resilient biasing member coupled to each of the holder and the

mounting base and being *structured to promote rotation between the holder and the mounting base*.

Hancock et al. fails to anticipate the tool bracket as presently recited in claim 1. Rather, in contrast to the resilient biasing member recited in claim 1, the bracket as taught by  
5 Hancock et al. provides matching holes **92, 94** and **72, 74** used by bolts **82** to “secure” the article holder **98** in a fixed angular relationship with the base **86**. Column 3, lines 2-8.

Hancock et al. reinforces this limitation by teaching the article holders **98** including vanes to secure an article in the article holder **98**. Column 3, lines 19-23; see, also, Figure 2. In contrast, the invention presently recited in claim 1 relies on *only* the resilient biasing member  
10 promoting rotation between the holder and the mounting base to secure the article.

For at least the above reasons, claim 1 is allowable as originally filed and currently amended. Claims 2 and 4-8 are allowable as depending from allowable claim 1.

Claim 9 as originally filed differs in scope from claim 1. However, the above arguments directed to claim 1 are sufficiently applicable to claim as to make repetition  
15 unnecessary. Thus, for each of the reasons above, claim 9 is believed to be allowable over the cited art as originally filed and without amendment.

Claims 10-14 are allowable as depending from allowable claim 9.

Claim 15 as originally filed and currently amended differs in scope from claim 1. However, the above arguments directed to claim 1 are sufficiently applicable to claim 15 as to  
20 make repetition unnecessary. Thus, for each of the reasons above, claim 15 is believed to be allowable over the cited art as originally filed and currently amended.

Claims 10-14 and 17-18 are allowable as depending from allowable claims 9 and 15, respectively.

The claims now being in form for allowance, reconsideration and allowance is  
25 respectfully requested.

**For the Examiner’s convenience, a clean copy of the amended matter, including the changes thereto, is provided in an Attachment hereto.**

If the Examiner has questions or wishes to discuss any aspect of the case, the  
Examiner is encouraged to contact the undersigned at the telephone number given below.

Respectfully submitted,

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Attorney:



Charles J. Rupnick

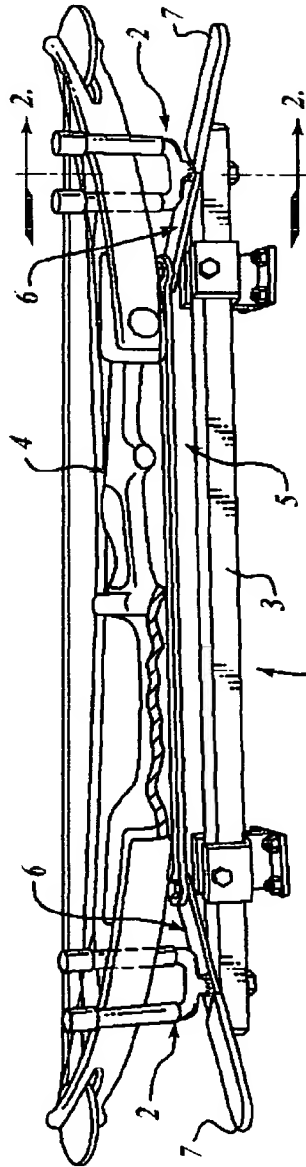
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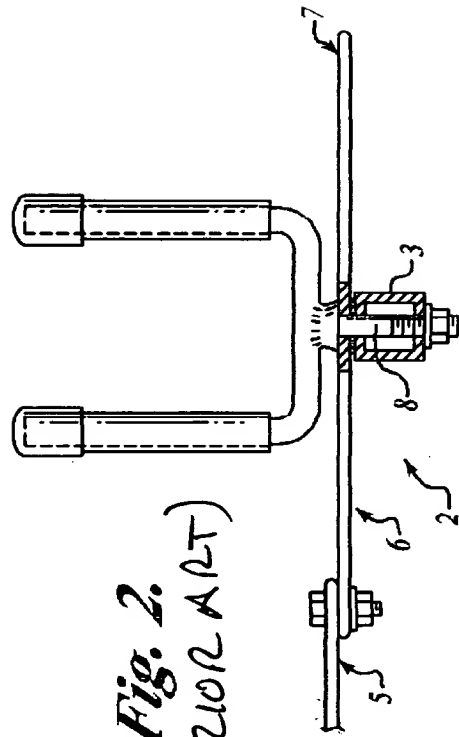
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*Fig. 1.*  
 (PRIOR ART)



*Fig. 2.*  
 (PRIOR ART)